

MINUTES
VILLAGE OF LAKE PARK COUNCIL MEETING
3801 LAKE PARK ROAD, LAKE PARK, NC
REGULAR SESSION
7:00 P.M. OCTOBER 13, 2009

ATTENDING: Mayor Kendall Spence
Mayor Pro-Tem: Sandy Coughlin
Council Members: Virginia Currence, Jo Waybright, Clint Newton, Greg Crosby
Finance Officer – Cheryl Bennett
Village Clerk/Tax Collector – Cheri Clark
Attorney Ken Swain

CALL TO ORDER: Mayor Kendall Spence called the Regular Session of the Village of Lake Park Council to order.

PLEDGE OF ALLEGIANCE: Mayor Kendall Spence led the Pledge of Allegiance to the Flag of the United States of America.

APPROVAL OF MINUTES: September minutes not available for approval.

PUBLIC COMMENT:

Jonathon Edwards and Katie Reeves with the Indian Trail Planning and Development Department presented the First Baptist Church of Indian Trail voluntary annexation request of Parcel #07066007A 90 into the Town of Indian Trail. The property is currently located in Union County and is undeveloped. The property will be developed as part of the athletic fields for the church. If the Town of Indian Trail decides to move forward with the voluntary annexation request the next step will be a public hearing to be scheduled for November 10th at 7 p.m.

Johnny Blythe the Hemby Bridge Fire Chief discussed the growth that the Hemby Bridge Fire District has experienced and the purchase of property on Faith Church Road adjacent to the First Baptist Church Offices. At this point, due to the economy, we are not sure when the new Fire station will be built. The current staff is typically four to five people during the day and four people at night.

David Brown expressed his concerns about the two wheel segaways and requested clarification for motor vehicles in the parks. They were a nuisance on Saturday during the festival. Virginia Currence asked if David was addressing the issue in general or just during events. Mayor Kendall Spence requested that Deputy Haywood address the motor vehicles under security. Mayor Kendall Spence also congratulated the HOA on a successful Fall Festival.

Hal Lohn expressed his concerns with there being Pit Bulls in the VOLP. The Pit Bull is the only breed bred to kill another dog. A lot of municipalities have banned Pit Bulls in their towns and Mr. Lohn would like to see the VOLP do the same. Mr. Lohn's new next door neighbor has a Pit Bull and he is extremely concerned about the health and safety of his family and the neighborhood. Mr. Lohn would like to see the VOLP start a dialogue in reference to banning the Pit Bull breed in the VOLP.

Bill Parker read the following information.

October 13, 2009

To: The Village of Lake Park Council

From: William J. Parker, Lake Park Homeowner and Resident

Subject: Proposed Lake Park Community Center Addition

**References: Lake Park Council Meetings minutes, relevant Hearings minutes
and relevant Documents which are part of the Public Record.**

The LP Council has been struggling with the proposal to construct additional space for the existing LP Community Center for over a year.

My comments tonight are intended to highlight some of the previous rhetoric and documentation on the subject and to request that the Lake Park Council respond to the questions and concerns that have been raised.

Many of the communications including meeting and hearing minutes are part of the Public Records of the Village of Lake Park. I urge each of you to review those referenced documents

In the interest of brevity and saving time I have listed below some of the questions, concerns and comments that have been included in the Public Record.

The following is taken from the minutes of the April 14, 2009 Public Hearing Proposed Community Center Renovation.

a-E-mail from Norris Jeffrey, read into the record by Cheri Clark. This E-mail was - endorsed unequivocally by Bill Parker. This e-mail asked 21 feasibility questions. Responses to the feasibility questions have not been forthcoming.

b-Under "Next Steps" of the referenced Jeffrey e-mail it read as follows:

"After Council has developed appropriate justification and facts, another public hearing should be scheduled. In advance of this public hearing, the documentation providing justification and appropriate facts should be made available to citizens."

It is essential that the citizens (taxpayers) of Lake Park be given an opportunity to pass judgment on the proposed Community Center expansion project after all requested information has been provided and questions have been answered.

At a meeting, held on or about August 21, 2008 with Todd Rummage, General Contractor, Kendall Spence, Bill Parker and others, it was suggested that with architectural sketches of the proposed addition to the Community Center and the plans and specifications of the
(continued on next page)

original building, a reasonably accurate cost of the project could be estimated. This estimate would certainly be adequate for the continued planning of a new addition.

Subsequently, sketches were prepared by Roger Layman, Architect, showing floor plans and elevations of the existing and proposed additions. A cost estimate developed from Layman's sketches is adequate for planning purposes. This makes it unnecessary and in fact a waste of time and money to develop another set of drawings for determining a cost estimate for budgeting purposes.

In closing I would like to say that my personal position on the matter of adding to the Community Center is simply that proper justification has not come forth for proceeding with the project.

I recommend that the Council appoint an unbiased Lake Park Community Center Expansion Task Force made up of citizens to evaluate this project and make recommendations to the Council on the actions that should be taken to (1) develop and provide proper information and justification concerning this project to the citizens; and (2) to develop a planning and decision making process for the potential expansion of the Community Center that directly involves the citizens of Lake Park. The project should be placed on hold until the Task Force's report is received and acted on by the Council.

After receiving the Task Force report and the Council decides to proceed with the project, a local referendum should be included on the ballot of the next election asking the citizens to authorize the project. A referendum for special projects such as this can be authorized by a Local Act of the North Carolina General Assembly.

As part of this decision making process, all requested facts and information relative to the Community Center Addition must be provided in writing to Lake Park Homeowners and taxpayers prior to the election which includes the referendum.

In developing its recommendations for the Council, the Task Force should consider:

(1) The impact of the proposed Community Center construction on existing and projected future fiscal resources and revenues; (2) The relative priorities of a wide variety of existing and future community needs including stormwater management, improvements in our common areas, parks and ponds called for in the Common Area Planning Task Force Report, law enforcement and community safety, and maintenance of public utilities including streets and sidewalks; and (3) The relative importance and impact of any proposed projects including the expansion of the community center on home values, community appearance, safety and security and our overall quality of life.

(continued on next page)

Norris Jeffrey sent the following e-mail and requested it be read into the minutes.



JUST SAY NO!

Our Village Council continues to expend time and public funds moving down a path towards planning and possible construction of an expansion of the Lake Park Community Center. The concept is a proper one for the community to consider providing that the following conditions have been met:

1. Inform the public with sufficient information to understand what is being proposed and explain the proposed project with proper cost/benefit analysis and justification.
2. Consider other higher priority needs in the community such as: Funding and implementing recommendations of Common Area Task Force for improving management and appearance of our parks, ponds and common areas; Implementing requirements of our new stormwater ordinance; Developing and implementing required elements of our core municipal governance that are absent and which include: Minimum Housing Ordinance, Authority over commercial and other properties under Village jurisdiction; Hiring personnel for improved management of Public Works and Code Enforcement.

In order to integrate and prioritize the many high priority needs, Lake Park needs to do some strategic planning. Organizational strategic planning is a process of defining strategy or direction, and making decisions on allocating the resources, funds and personnel, to pursue this strategy. Strategic planning is a useful process for determining an organization's future course over the next 3 to 5 years. In order to determine where it is going, the organization needs to know exactly where it stands, then determine where it wants to go and how it will get there. The resulting document is called the "strategic plan".

3. Identify and evaluate potential funding sources for a construction project that has been estimated to cost between \$300K and \$500K. Possible sources include: 1. Reserves; 2. Tax Increase; 3. Bonds and Other Debt; 4. Grants and/or 5. Reducing funds from other projects.

Lake Park has healthy financial reserves for now, however, the recent economic downturn has the potential to reduce revenues and there are many unknowns. We do not consider it a wise decision to use Village reserves for this project.

Tax increases, if needed, should not be for projects such as this. We need projects that increase our property values by improving community appearance, safety and security thus resulting in improved property values and quality of life.

Lake Park does NOT HAVE ANY DEBT! This is the condition that we would like to see continued. No borrowing to fund projects such as the expansion of the Community Center.

Grants for public assistance and construction projects are scarce and almost non existent at present.

The annual budget developed by the Village Council attempts to balance and distribute resources for a complex mix of programs and activities. For the most part, we believe that the mix that we currently have is a good one and should continue. There are not sufficient funds in current budgets to support the construction of the Community Center expansion.

BOTTOM LINE: THESE CONDITIONS HAVE NOT BEEN MET AND NOW IS NOT THE TIME TO EXPAND THE COMMUNITY CENTER.

OUR COMMUNITY HAS MANY MUCH HIGHER PRIORITY PUBLIC PROJECTS TO FUND WITH OUR VALUABLE AND LIMITED PUBLIC FUNDS.

JUST SAY NO!

Sean Lowther thanked the police for calling on the house with the motorcycle with no baffles on the muffler. This evening during dinner there was a young man on the roof of the Lake Charles fishing pier. Fortunately he was finally able to get off the roof without having to call the fire department. Mr. Lowther also stated that his family had an extremely bad experience with a Pit Bull and a family pet.

Sharon Williams with the Economic Development Commission (EDC) invited everyone to the Business and Family Fun Day November 7th. She also showed Council the banner to advertise the event. The EDC hopes to make this an annual event.

Natasha Parker with Fireside Coffee does not know when they will open because they are waiting on others. They would like to request two designated ten minute parking spaces and would like to enclose the sidewalk with a metal fence creating a permanent outdoor space. Sandy Coughlin requested that Michael and Natasha bring to the October 22nd, EDC meeting information concerning the sign, fence construction, parking spaces and the exact location for the fence.

Fireside Coffee & Food

6120 Creft Circle ● Lake Park ● NC ● 28079
(704)994.85.99 www.firesidecoffee.us fireside@firesidecoffee.us

Speech for the meeting with Lake Park October 13th

Why we are here:

We are here to discuss with Lake Park :

****permit to make parking time limitation in the area in front of the coffee shop

****permit to put a small fence in the area in front of Coffee shop

When we open Fireside?

We open when the Coffee Shop is ready for successful business. Period. We not gonna open to fail as we did few years ago. We not gonna do the same mistake again.

I want to ask Lake park to stop pushing us to open it right now just because you want so or because of other business non-related reasons. We want to open only when we know we are ready to provide good service and conditions to customers, not earlier. It doesn't make sense to open business for failure and we expect Lake Park to support us in that, not the opposite behavior that we observe. Think for yourself – why would you want to open the unprepared business?

I don't want to open the place just because some people ask us to for their own comfort, disappoint customers, which means loose them and close business again shortly. I prefer to make mad customers now with change of opening day, then completely loose them opening now and disappoint them with lack of perfect service if it comes to such choice. We want to open it soon too, you should understand that, don't get me wrong, but we see better from inside if we have all we need for the opening or not.

We want to open to have success not to fail. And we know what we need for that. The sooner LP cooperates with us instead of making obstacles, the faster we open. Right now we are waiting for the situation with parking to resolve, fence permit and brown bag permit – that's a part of the service we want to offer to our customers and we don't want to open until we have that situation straightened. So if you want to help us open faster, lets get back to the subjects we need to discuss for that.

Amanda Hicks addressed Council concerning Parking Citation 290 and provided information as to why the vehicle has no tag. The vehicle was parked in the driveway with no tag due to a debilitating accident that occurred on July 3rd. Virginia Currence made the motion to waive the ticket. Clint Newton seconded the motion. Vote – Unanimous.

Clint Newton asked if every requested e-mail has to be read into the minutes or can we just include them into the official minutes. Virginia Currence agreed. Attorney Ken Swain will look into the matter.

CHANGES TO THE AGENDA: Move Economic Develop to 6A and Add 14A Closed Session for Legal Advice. Sandy Coughlin made the motion to accept the agenda as amended. Clint Newton seconded the motion. Vote – Unanimous.

SECURITY: Deputy Haywood shared that there have been 407 total calls for the month of September. The call volume includes 43 Business Checks, 108 Residential Checks, 25 Improperly Parked vehicles, 13 Bike Patrols, 29 traffic stops, 75 Preventative Patrols and 2 alarm calls. Sixty calls were citizen initiated and 347 calls were officers initiated between September 1st and September 30, 2009.

Segaways are considered a scooter and travel at less than 35 miles per hour but Deputy Haywood will have to look in to whether or not they are street legal. There is not a leash law in Union County and in the Village of Lake Park; dogs not on leashes in the parks are subject to a \$50 fine. There are products on the market to spray at dogs such as “Back Off”.

Deputy Haywood asked about the status of the green Toyota around Society or Kloss Lane with the expired tag in a legal parking space that was discussed at the last meeting. The tag has been expired since February and does that make it an abandoned property? Attorney Ken Swain will investigate the matter and get back to us.

In preparation for Halloween, Deputy Haywood thanked Parks and Recreation for taking care of the lighting concerns and bushes that needed trimming.

Greg Crosby asked if the Security Report was available electronically because there has been a request to post it on the website.

Mayor Kendall Spence brought Citation 1055 to Council’s attention and asked that it be dismissed because the violation is an HOA violation not a VOLP and has the wrong person’s name on the ticket. Clint Newton made the motion to dismiss Citation 1055. Greg Crosby seconded the motion. Vote – Unanimous.

ECONOMIC DEVELOPMENT: Sandy Coughlin stated that we do have a copy of the original Town Center Guidelines for the institutional buildings and businesses. It has been recommended to Fireside Coffee that information concerning their request be brought to the EDC before it is brought to Council. The EDC can help pull together the loose ends.

On the website Greg Crosby was able to active the multiple choice report that was given to Council concerning the EDC survey. The open ended questions have now been tabulated and will be presented to the EDC before it comes to Council. Alcohol is a controversial topic. Of the 303 surveys, 102 wanted more restaurants. How many of the 102 actually mentioned alcohol - only 25 mentioned alcohol and 77 did not. Council needs to consider what the community is telling us? The survey should be ready for Council to see in the near future.

Every business that is participating in the Business Fair is contributing \$100 and most of the businesses are located in the Town Center area. Virginia Currence asked if home businesses were included in the fair. Sandy Coughlin stated that only the core businesses were being asked to participate.

Greg Crosby asked about the use of the Institutional Guidelines. Greg Crosby asked if there is any way to enforce these Institutional Guidelines. Sandy Coughlin stated that we do not handle the zoning for the VOLP.

Greg Crosby then asked about the status of zoning in Lake Park Attorney Ken Swain stated that at the time of incorporation, there was a document that adopted the county's Land Use Ordinance; therefore we have county zoning not municipal zoning. He does not know the interplay between the county zoning and the covenants. North Carolina General Statute 160A states that a two year notice has to be given to the county if the municipality wants to handle its own zoning. The county may be willing to waive the two year notice period.

Sandy Coughlin asked for example how we guide Fireside Coffee since they have requested a fence that will be partly on public property. Attorney Ken Swain stated that the VOLP would have to grant them some type of easement. Virginia Currence stated that we need to find out what we can about handling our own zoning. Council stated that it is their desire that Ken Swain spend some time looking into zoning and what would be required.

Growing in Lake Park

*Village of Lake Park
Economic Development
Commission Meeting*

Meeting Minutes: September 17, 2009

Location: 3316 Faith Church Road

Attendees: Sandy Coughlin, Doug Lucas, Kendall Spence, Charles Williams,
Sharon Williams

Absent: Moser guests (Jameson Ellis, Van Southern)

OPENING: Sandy called meeting to order. Charles offered the reflection.

MINUTES: Minutes of the August 27, 2009 EDC meeting, previously emailed, were accepted as previously emailed.

BUDGET: Our \$2000 2009-2010 budget balance is intact. Pending expenses: October registration at NCLM conference and the EDC fall event.

OLD BUSINESS:

1. Neighbor Community EDC: MCIC EDC discussion tabled for October due to shortness of time.
2. Intersection Improvement NC: Completion may be this November; Faith Church @ Unionville-I.T. Rd.
3. Commercial Web Development: Tabled until January due to fall events.
4. March Business Tour Workshop: Thank you letters and copies of their survey notes were signed this week and will be mailed to Ms. Ojomo, Mr. & Mrs. DeTomaso and Ms. Williams.
5. EDC Fall Event:
 - a. Members confirmed they had received the first mailing, letter and booklet mailed 9/15.
 - b. Members achieved consensus of 2-level (\$60, \$100) participation, tallied by email.

- c. Event budget review: contributions conservatively anticipated to be at least \$1100. Expenses expected to max at about \$1300. We will review the record again September 17.
- d. Charles exited the meeting for a family commitment.
- e. Committee viewed Vista site and finalized the banner design. Sharon to order on 9/21.
- f. Doug confirmed that Lucas will install the 5 banners and provide stakes. With elections the following Tuesday, expect competition for installation space and driver attention.
- g. Sandy thanked Kendall for initiating the flyer basis for the first mailing.
- h. Sandy acknowledged Charles' idea to add feature events on the flyer.
- i. Sharon reviewed booth placement: all should fit facing Creft between Meeting Street and Fireside Coffee¹ corner. DJ has already chosen his space with Sharon.
- j. Doug confirmed that he will use cones to close Council-approved section of Creft at 8am.
- k. Second announcement has been submitted for the September *Villager*.
- l. Target date is 10/15/9 for news items and photos for Sandy to develop press releases for Indian Trail Trader, Charlotte (Union) Observer, Enquirer Journal, and Union County Weekly. Sharon will keep in touch as reservations develop.
- m. Sandy brought handbills for Charles to deliver to 24 Creft Circle homes from Balsam to Lake Park Road. Sharon took them to either give Charles or deliver on visits DUE 10/20.
- n. Sandy reported that Mr. Li's student, Sifu Chris Facente suggested his Kung Fu school bring a Lion Dance to the street fair. He is meeting with Mr. Li this evening 9/17.
- o. All purchases for the EDC event are eligible for tax free status since all proceeds and expenses are paid through VOLP.
- p. Call list of vendors were distributed by email before tonight. Reminder cards will be mailed to the potential vendors 9/22. Sharon will let us know who will need follow up calls after her progress of 9/21, a day she expects to make several personal contacts herself.

NEW BUSINESS:

1. Commercial News:

- a. NCLM Annual Conference 10/25-27: No response from CA@LP on high school principal interest in a student contest or civic interested student attendance. Sandy will proceed with reservation for one EDC member.
- b. Town Center Marketing: Guests did not attend, no report. Sharon expressed concern and Kendall will follow up. Sandy suggested we give them the Lou Maida/deli contact.

2. Planning Ahead:

- a. Key Card Program: October 1 2007 – September 30, 2009. In review, participating businesses did not follow through consistently, preferring to not to volunteer their benefit offers. This in effect traded the opportunity for repeat business for the opportunity to keep the value of the initial sale ~ so they did not ask customers if they had the card, nor report results. The success of this type of card depends upon cashiers asking every time to maximize the customer and vendor loyalty to village economy.

Although the two-year program was scheduled to end this month, we will not ask for the village webmaster to strike the names or benefits from the directory at this time, and will continue to add names of any local businesses wishing to benefit from local identification. Amanda Webb, Enhance Home Staging LLC is signing up this weekend.

- b. Spring Workshop: Chris Facente has expressed interest in doing a motivation workshop for the EDC.
- c. Vacancy December 2009: Charles has been invited to consider a second term. Sharon checked with Mark and Dianne DeTomaso but neither are ready.

¹ Sharon Williams met the Konarzewski's new partner (Natasha ____?). Opening to occur upon his return from Poland.

NEXT MEETING: 6:30pm Thursday, October 22. 3316 Faith Church Road (Lucas)

ADJOURNED: 8:05 pm.

The GROWTH Coach Quote: If you want greater freedom, flexibility, fulfillment and financial results, DO SOMETHING DIFFERENT. If you keep doing the same thing, you will keep getting the same results - that much in life is guaranteed.

FINANCE OFFICER'S MONTHLY REPORT: Cheryl Bennett presented the budget for Council review.

	<u>Sep 09</u>	<u>Jul - Sep 09</u>	<u>Budget</u>	<u>% of Budget</u>
General Fund				
Revenues				
Other revenues				
Approp. Fund Balance	0.00	0.00	79,098.00	0.0%
Civil Penalties	330.00	1,080.00	400.00	270.0%
Investment revenue	100.85	345.47	12,000.00	2.88%
Miscellaneous	<u>0.00</u>	<u>25.00</u>	<u>545.00</u>	<u>4.59%</u>
Total Other revenues	430.85	1,450.47	92,043.00	1.58%
Other Taxes				
Stormwater Fees	2,530.00	3,930.00	38,000.00	10.34%
Cable franchise-from Time Warner	<u>0.00</u>	<u>0.00</u>	<u>3,000.00</u>	<u>0.0%</u>
Total Other Taxes	2,530.00	3,930.00	41,000.00	9.59%
Parks & Recreation Revenue				
Recreation Program Fees	42.00	1,128.87	1,000.00	112.89%
Community Center rental	110.00	515.00	2,800.00	18.39%
Gazebo rental	0.00	30.00	100.00	30.0%
Recreation daily swim fees	160.50	2,878.20	6,200.00	46.42%
Recreation season pass fees	<u>151.00</u>	<u>1,683.00</u>	<u>50,000.00</u>	<u>3.37%</u>
Total Parks & Recreation Revenue	463.50	6,235.07	60,100.00	10.37%
Property Taxes				
Ad valorem current year	26,764.05	44,482.03	521,196.00	8.54%
Ad valorem prior years	10.84	662.00	4,600.00	14.39%
Motor vehicle tax	4,380.91	9,073.44	53,171.00	17.07%
Penalties and interest	83.69	238.73	1,344.00	17.76%
Utility ad valorem	<u>0.00</u>	<u>0.00</u>	<u>5,478.00</u>	<u>0.0%</u>
Total Property Taxes	31,239.49	54,456.20	585,789.00	9.3%
State Shared Revenues				
Solid Waste Disposal Tax	0.00	526.63	1,500.00	35.11%

Telecom. Franchise	395.00	395.00	1,800.00	21.94%
Piped Gas	309.00	309.00	5,000.00	6.18%
Elec. franchise tax	631.77	631.77	60,000.00	1.05%
Cable Rev. (from State)	284.00	284.00	22,000.00	1.29%
Sales and use tax	-2,491.90	-2,491.90	140,000.00	-1.78%
Total State Shared Revenues	-872.13	-345.50	230,300.00	-0.15%
Total Revenues	33,791.71	65,726.24	1,009,232.00	6.51%
Expense				
Capital Outlay				
Capital Outlay Exp.	0.00	0.00	10,000.00	0.0%
Reserve for Capital Replacement	0.00	0.00	10,000.00	0.0%
Total Capital Outlay	0.00	0.00	20,000.00	0.0%
General Administrative Expenses				
Adm Assistant	0.00	122.00	500.00	24.4%
Clerk/Tax Collector	3,675.00	11,025.00	44,100.00	25.0%
Council	2,750.00	2,750.00	11,000.00	25.0%
Finance Officer	883.33	2,649.99	10,600.00	25.0%
Mayor	750.00	750.00	3,000.00	25.0%
Payroll Expenses	616.49	1,343.91	5,536.00	24.28%
Total General Administrative Expenses	8,674.82	18,640.90	74,736.00	24.94%
Maintenance of Common Areas				
Landscaping	10,800.00	32,645.00	165,000.00	19.79%
Park maintenance	4,800.25	5,600.09	29,000.00	19.31%
Pond maintenance	0.00	0.00	10,000.00	0.0%
Total Maintenance of Common Areas	15,600.25	38,245.09	204,000.00	18.75%
Operating Costs				
Advertising	62.50	95.15	300.00	31.72%
Association dues	0.00	3,000.00	3,000.00	100.0%
Bank charges	0.00	0.00	20.00	0.0%
Elections	0.00	0.00	3,700.00	0.0%
Insurance/bonds	0.00	6,721.34	9,400.00	71.5%
Miscellaneous oper. exp.	34.00	48.50	800.00	6.06%
Newsletter/website/flyers	241.01	441.01	2,600.00	16.96%
Office	270.33	596.86	3,400.00	17.56%
Postage	2.07	20.21	600.00	3.37%
Tax collection	394.27	842.07	1,600.00	52.63%
Telephone	252.56	748.93	2,980.00	25.13%
Training	0.00	73.44	1,200.00	6.12%
Travel	209.85	209.85	500.00	41.97%
Total Operating Costs	1,466.59	12,797.36	30,100.00	42.52%

Other Expenditures				
Economic Development	128.81	128.81	2,000.00	6.44%
Contingency	0.00	0.00	20,000.00	0.0%
Stormwater Expense	<u>1,712.39</u>	<u>2,809.39</u>	<u>38,000.00</u>	<u>7.39%</u>
Total Other Expenditures	1,841.20	2,938.20	60,000.00	4.9%
Parks & Recreation				
Pool Operations	0.00	0.00	1,600.00	0.0%
Comm. center maintenance	659.99	1,445.99	8,800.00	16.43%
Seasonal Decorations	0.00	0.00	10,000.00	0.0%
Natural Gas	38.07	110.77	1,200.00	9.23%
Pool maintenance	525.00	564.94	9,500.00	5.95%
Pool management fee	2,448.00	12,240.00	46,880.00	26.11%
Events/Recreation programs	0.00	835.82	1,800.00	46.43%
Storage Rental	0.00	1,308.00	1,300.00	100.62%
Water/Sewer	<u>485.98</u>	<u>1,372.47</u>	<u>2,200.00</u>	<u>62.39%</u>
Total Parks & Recreation	4,157.04	17,877.99	83,280.00	21.47%
Professional Fees				
Accountant	0.00	0.00	4,400.00	0.0%
Legal Counsel	<u>0.00</u>	<u>0.00</u>	<u>10,000.00</u>	<u>0.0%</u>
Total Professional Fees	0.00	0.00	14,400.00	0.0%
Public Services/Safety				
Street Signs	0.00	90.00	2,500.00	3.6%
Garbage collection	21,433.22	42,851.25	273,000.00	15.7%
Law enforcement	33,798.50	33,798.50	150,216.00	22.5%
Street Lights	<u>8,299.54</u>	<u>24,981.71</u>	<u>97,000.00</u>	<u>25.75%</u>
Total Public Services/Safety	63,531.26	101,721.46	522,716.00	19.46%
Total Expense	95,271.16	192,221.00	1,009,232.00	19.05%
Net General Fund	-61,479.45	126,494.76	0.00	100.0%
Powell Bill				
Powell Bill Income				
Interest - Powell Funds	22.03	67.55	500.00	13.51%
Powell Bill Revenue	<u>0.00</u>	<u>0.00</u>	<u>85,000.00</u>	<u>0.0%</u>
Total Other Income	22.03	67.55	85,500.00	0.08%
Powell Bill Expense				
Bank Exp. - Powell checks	0.00	41.98		
Street Exp. - Powell Bill	<u>95,805.02</u>	<u>96,065.02</u>	<u>85,500.00</u>	<u>112.36%</u>
Total Other Expense	95,805.02	96,107.00	85,500.00	112.41%

Net Powell Bill	<u>-95,782.99</u>	<u>-96,039.45</u>	<u>0.00</u>	<u>100.0%</u>
Net excess of expense over revenues	<u>157,262.44</u>	<u>222,534.21</u>	<u>0.00</u>	<u>100.0%</u>

TAX OFFICER'S REPORT: Waived.

PUBLIC SERVICES (WASTE & ELECTRIC): Sandy Coughlin stated that she is watching real closely the Waste line item.

The electric bills for last month have not arrived.

UNION COUNTY GOVERNANCE COMMITTEE: Sandy Coughlin stated that at the last meeting there seems to be one group leaning toward four at large members and three district members and another group that is strongly opposed to districting.

COMMUNICATION: Greg Crosby requested that articles for the next Villager need to be submitted by October 16th. Topics to be included are disposal of used equipment, EDC, and Parks and Rec.

PARK AND RECREATION BUSINESS: Virginia Currence stated that Parks and Rec has moved to the next lowest bidder due to the request for additional funds from the lowest bidder. The second lowest bidder is Griffin's Grading from Wingate, North Carolina. The cost to the village will be \$15,670.00 and the work will begin the week of the 19th depending upon weather. Patricia Dunn, a Fennell Street resident, has volunteered to distribute information concerning the project to the residents impacted by the grading.

A line has been added to the four entrance signs – No Parking on the Sidewalks or Grass.

Virginia Currence made the motion to approve \$1,300 for fall plantings and 100 bales of pine needles. Greg Crosby seconded the motion. Vote – Unanimous.

We have received a quote of \$760 to pressure wash and apply the anti-graffiti sealant to the Lake Charles Fishing Pier. Parks and Rec at this time is not going to ask for the approval for this work, we want to get at least one more quote.

Virginia Currence requested that when Mayor Kendall Spence starts looking at Powell Bill expenditures, we place curbing that is crumbling in some of the cul-de-sacks on the list.

Jo Waybright stated that she and Cheri Clark worked on the Community Center RFQ and made all of the changes that were discussed at the September Council meeting. The RFQ is ready to be published. The committee that will be reviewing the RFQs will consist of Mayor Kendall Spence, Barry Blackwood, Jim Miller, Jo Waybright and staff.

Greg Crosby asked if Council is ready to advertise for the RFQ and read the following statement.

After last month's meeting, I spent some time pondering the decision that we made to continue with drawing up the RFQ for the Community Center expansion. I feel in retrospect that the affirmative decision resulting from our vote was a bit premature, and furthermore that we would be making a big mistake by proceeding any further with action on the Community Center expansion.

I asked last month about the proper way to accomplish this major project. The answer I got was a bit nebulous. So I spent some time thinking about it and this is what I feel must happen:

1. Attain a very rough cost estimate with very generous allowances and contingencies built-in. I feel that we have this now with the figures and drawings that we purchased from Roger Layman Architecture.
2. We must have a clear path to securing the funds. This does not necessarily mean having the funds in hand, but rather identifying a reasonable and attainable vehicle for funding the full amount of the estimate.
3. Only after we have the path to funding identified, advertise the RFQ to identify an architect.
4. Execute the contract to complete the detailed plans by the selected architect/engineering firm.
5. Advertise an RFP to identify general contractor to execute the plans outlined by the architect.

If we skip a step such as the second one, we will be missing a critical piece of the deliverable from the architect/engineering firm, the timeline which is impossible to identify without the financial information. My impression is that this timetable for the project is important for this RFQ step since it is scattered throughout the document that has been approved by the League of Governments. Without this bit of information, I am not sure how we can get much more than what we have already received from Mr. Layman. Additionally, we may proceed down a very costly path with absolutely nothing to show for it in the long run.

I also became concerned over the past month when I began to realize some of the items that are only being glossed over by this council. Often it is because of a lack of resources. I have been walking quite a bit with my wife and I cringe every time I see the green heart spray painted on the bridge on Faith Church road at Lake Charles, or graffiti on a sidewalk, or a broken park bench. I know that this is emblematic of the vandalism throughout the many common areas that we must maintain. What if we used this money that we expect to spend on this next step of the expansion on hiring a part-time maintenance person that would continually monitor the public areas in Lake Park and correct any damage immediately. Over the past month, I have been hearing of some very troubling zoning questions concerning our business district. We are not equipped to handle these matters now that the previous owner vacated Town Center. I was always under the impression that the county handled the zoning for us – an impression that I am learning could be false. We could be left with some very serious and damaging developments unless this issue is addressed now rather than later. What if we used this money that we expect to spend on this next step of the expansion on legal advice and council in order to draw up the necessary ordinances, resolutions, interlocal agreements, etc. to protect Lake Park.

The fact is that we have no clear financial path to complete what we really need to do with the community center, and the fact is that we have several extremely high priority items with virtually no funding that cannot be left floundering any longer without serious repercussions to Lake Park as a whole. Therefore, the only responsible thing to do is to table any further action on this project until:

1. We have all the necessary documents and resources in place so that we know exactly how zoning can be enforced in Lake Park
2. We have a plan to consistently maintain the common areas that we have now
3. The Council can clearly state how we can foresee paying for this project.

Mayor Kendall Spence stated that we have covered the funding before and construction cost is at an all time low. Jo Waybright stated that it has been over a year since we started working on the RFQ. We cannot get an estimate for the Community Center renovations without expending funds for the working drawings.

Sandy Coughlin made the motion to put this project on hold. Greg Crosby seconded the motion. Vote 4 to 1 with Jo Waybright voting no.

Jo Waybright made the motion to approve \$8,986 for Christmas lighting. Clint Newton seconded the motion. Vote – Unanimous. Jo Waybright made the motion that we approve up to \$1500 now for the purchase of supplies and lights for Mike Wienecke to get started with the decorations. Clint Newton seconded the motion. Vote – Unanimous.

Jo Waybright made the motion to approve the Carolina Thread Trail request for up to \$130 for our portion of the master plan grant. Greg Crosby seconded the motion. Under discussion it was determined the funds would come out of the Parks and Recreation budget. Vote – Unanimous.

STORMWATER: Cheri Clark will be attending two stormwater regional stormwater workshops: 1.Preparing for an MS4 Audit and 2. Clean Water Act Section 303(d) and TMDLs.

In addition to the two stormwater workshops, Cheri Clark will be attending two tax workshops in Greensboro: 1. NCTCA Bankruptcy Seminar and 2. Property Tax Collection Essentials. Sandy Coughlin made a motion to have Cheri Clark attend the two workshops. Clint Newton seconded the motion. Vote – Unanimous.

The storm drain basin has collapsed around the drain in the common area between Vonda Court and Alden. To repair the basin including engineering fees \$5000. Sandy Coughlin made the motion that the VOLP repair the storm drain basin. Clint Newton seconded the motion. Vote – Unanimous.

Cheri Clark presented the interlocal agreement concerning GIS mapping for Council. Sandy Coughlin made the motion that we enter into an interlocal agreement with Union County for the purpose of obtaining additional GIS mapping information. Greg Crosby seconded the motion. Vote – Unanimous.

STREET BUSINESS: Mayor Kendall Spence discussed a fax that we received from a resident in reference to the corner of Faith Church Road and Creft Circle and a sight obstruction when turning left. Sandy Coughlin will speak with the Townhome Association and discuss the trimming of the hollies on the berm

CLOSED SESSION: Greg Crosby made the motion that Council go into closed session to discuss legal issues with our attorney. Clint Newton seconded the motion. Vote – Unanimous. The Council received legal advice concerning a referendum, Pit bulls, Cypress Homes and Brown Bag Permits.

Sandy Coughlin made the motion to go back into Regular Session. Clint Newton seconded the motion. Vote – Unanimous.

REGULAR SESSION: Greg Crosby made the motion that we pay to have title searches conducted on the Cypress Home properties up to \$700. Virginia Currence seconded the motion. Vote – Unanimous.

At this time Council is not inclined to allow encroachment of public property by Fireside Coffee in their request to fence part of the public sidewalk. The VOLP needs to know the exact right-of-way of the sidewalk. If Fireside Coffee would like to fence their property then that is a Town Center Association matter. Cheri Clark will prepare a resolution to designate an official to make recommendations to the North Carolina ABC Commission on ABC Permit applications for the November meeting.

CHANGES TO THE AGENDA: Put Economic Development after Tax Officer's Report.

COUNCIL COMMENTS:

Jo Waybright would like to encourage Council participation in the Chili cook-off.

Sandy Coughlin asked about the location of the pad to place the trash cans on at the Community Center and whether or not the pad could be placed in a different location. Parks and Rec is addressing the location of the pad.

ADJOURN: Clint Newton made a motion to adjourn the meeting. Sandy Coughlin seconded the motion. Vote – Unanimous.

Respectfully submitted,

Mayor Kendall Spence

Village Clerk, Cheri Clark